IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2277 OF 2006

Vishwanath Babulal Sharma. ..Applicant.
Vs.
The State of Maharashtra. ..Respondent.

Ms. Anjali Iyer for the Applicant.
Mr. P.S. Hingorani, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 30/6/2006.

P.C.

1. This is an application for grant of anticipatory bail. The applicant is shown as an accused in C.R. No.463/2006 registered by Chembur Police Station for offences under Section-3,4,5,7 (1)(B) of the PITA Act. It appears that one Commander bar was earlier raided by the police on 2.3.2006 and C.R.No.88/2006 was registered on 3.3.2006 for offence under Section 294 read with 34 of the I.P.C. The present applicant was arrested in that raid as he was present in the said bar. He was however, released on bail. Subsequently the same hotel was again raided on 28.3.2006 and some girls including two minor girls were found and it was also found that the said place was being used for the purpose of prostitution. According to the police, they have registered C.R.No.463/2006 for offence under Section 3,4,5 and 7 of the PITA Act. It was sought to be

contended that the applicant was not running the said bar and restaurant. The police, seized and rely upon a conducting agreement dated 26.7.2005 in which one Mr. Satya Prakash Singh, Vishwanath Babulal Jahangir and Mr. Sunil Pawar are shown as conductors. It was sought to be argued that the present applicant Vishwanath Babulal Sharma is also known as Vishwanath Babulal Jahangir. Reliance was placed on certain documents being pan card and ration card. I find that signatures on the two documents are different. Apart from this, in the earlier offence police have recorded the statement of neighbour Abdul Rehman. He has categorically mentioned the name of the present applicant whom he has named as Sharma. His statement clearly indicates that the present applicant who is named in the statement was running the said bar and restaurant. In the present crime, the police have recorded the statement of certain witnesses and they have categorically stated that the present applicant is co-conductor and the question that will have to be investigated is as to where from the said girls were procured. In my view, not a fit case for grant of anticipatory bail. Hence, application is rejected.

(R. S. MOHITE, J.)